

Russia

The Government of Russia implemented a national fund that provides social welfare assistance to the country's significant population of homeless and orphaned children, many of whom are engaged in unhealthy and unsafe work on the streets. The Government is also taking steps to combat child pornography. However, the Government has not designated an agency or other body to coordinate national action and policy to combat the worst forms of child labor. In addition to working in the informal sector, street children continue to engage in illegal and dangerous work, including forced begging.



Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Russia are engaged in the worst forms of child labor,⁴⁸⁵⁸ many of them begging or working in the informal sector on the streets of major cities. Children working on the streets perform potentially dangerous activities, including servicing automobiles, carrying heavy loads, and collecting trash (which may contain toxic or injurious materials). Children, including street children, are also found working in construction, textile and trade shops, and in the industrial sector.⁴⁸⁵⁹ Street children, particularly those who are homeless and orphaned, are vulnerable to involvement in illegal activities such as prostitution, pornography, and selling drugs or stolen goods.⁴⁸⁶⁰

In rural areas, children primarily work in agriculture.⁴⁸⁶¹ This may involve risks to their safety and health, such as using potentially dangerous machinery and tools, carrying heavy loads, and applying harmful pesticides. Experts

from the National Foundation for the Prevention of Cruelty to Children reported in 2010 that there is a worsening trend in children using hazardous chemicals, working in close proximity to motorized vehicles, or working in adverse weather conditions.⁴⁸⁶²

Commercial sexual exploitation of children, especially in large cities, remains a concern.⁴⁸⁶³ Moscow and St. Petersburg are hubs of child trafficking and child commercial sexual exploitation. Children are trafficked internally to these cities and other regions of Russia and from Moldova and Ukraine, and forced into begging or prostitution.⁴⁸⁶⁴ Both girls and boys are trafficked for prostitution, child sex tourism, and pornography.⁴⁸⁶⁵

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age of employment at 16, with exceptions for 15-year-olds who have completed general education and

children under age 14 working in the performing arts, if such work will not harm their health or moral development.⁴⁸⁶⁶ Children under age 18 are prohibited from engaging in night work, dangerous work, underground work, or work that may be harmful to their health or moral development. This includes carrying heavy loads and the production, transportation, and sale of toxic substances (including tobacco, alcohol, and drugs).⁴⁸⁶⁷

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	No
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

The Constitution prohibits forced labor and the Criminal Code explicitly outlaws the engagement of a known minor in slave labor.⁴⁸⁶⁸ Article 127.1 of the Criminal Code prohibits the purchase, sale, recruitment, transportation, harboring, and receiving of a person for the purpose of exploitation, with higher penalties imposed when the victim is a known minor. It is punishable under the Criminal Code to involve a minor in a crime.⁴⁸⁶⁹ Involving a minor in prostitution and creating or circulating pornography depicting a known minor are also punishable under the Criminal Code.⁴⁸⁷⁰ However, Russian law does not criminalize the possession of child pornography

nor does it provide a definition of the term “child pornography.”⁴⁸⁷¹ This may hamper enforcement efforts because of a lack of clear guidance regarding what can be prosecuted as child pornography.

The minimum age for both voluntary and compulsory military recruitment in Russia is 18.⁴⁸⁷² Education is free and compulsory for children up to age 15.⁴⁸⁷³

Institutional Mechanisms for Coordination and Enforcement

The Government has a federal office to protect children’s rights, the Office of the Children’s Ombudsman. In 2010, the number of regional ombudsmen was increased to 56 from 25 the previous year.⁴⁸⁷⁴ Regional ombudsmen have the authority to investigate potential violations of children’s rights, inspect institutions and offices dealing with minors, and conduct evaluations of legislation affecting children.⁴⁸⁷⁵ However, research revealed no evidence that the Government of Russia has established a mechanism to coordinate efforts to specifically combat the worst forms of child labor.

The Federal Labor and Employment Service (FLES) is responsible for enforcing child labor laws; in 2008, the most recent period for which statistics are available, 10,000 child labor violations were reported by FLES.⁴⁸⁷⁶ Fines totaling \$49,600 were paid by employers who violated child labor laws. FLES noted that children are found working in hazardous conditions for low pay in a variety of sectors.⁴⁸⁷⁷ Research did not reveal information on the number of child labor inspections, violations or penalties assessed in 2009 or 2010.

The Ministry of Internal Affairs (MIA) and other law enforcement entities are responsible for enforcing criminal laws against forced child labor, trafficking, commercial sexual exploitation, and the use of children in illicit activities.⁴⁸⁷⁸ The Public Prosecutor is charged with enforcing laws

related to hazardous child labor and prosecuting violations identified by MIA and FLES. During the reporting period, a small number of law enforcement personnel were trained on trafficking issues.⁴⁸⁷⁹

In 2008, the most recent period for which data is available, MIA registered 356 cases involving the production or distribution of pornography, opened investigations in 159 of those cases, and brought indictments in 157 of the investigated cases.⁴⁸⁸⁰ Official data is unavailable on the number of investigations, prosecutions, or convictions for child trafficking or other crimes relating to the worst forms of labor.

In 2010, the Government significantly increased efforts to monitor and combat child pornography, initiating several cases against individuals suspected of producing and disseminating child pornography.⁴⁸⁸¹ It also continued to operate two centers dedicated to receiving information on illegal content sources on the Internet, including child pornography. Each center has its own hotline for receiving information.⁴⁸⁸²

The ILO Committee of Experts examined the Russian Federation's compliance with the provisions of Convention 182, noting that the Government had repeatedly failed to provide information on the impact of its efforts to prevent child trafficking as required of signatories to the Convention.⁴⁸⁸³

Government Policies on the Worst Forms of Child Labor

The Government continues to implement a child welfare policy, "Children of Russia," although research found no evidence to determine whether

this policy addresses the worst forms of child labor.⁴⁸⁸⁴

Current policy and programming efforts may not be sufficiently targeting populations in need, such as rural children engaged in or at risk of hazardous labor in agriculture, because the Government does not collect and analyze national statistics on child labor.

Russia has engaged in multilateral discussions on cross-border trafficking policy; in December 2010, it became party to the Program of Collaboration of Member States of the Commonwealth of Independent States in the Struggle against Human Trafficking for 2011–2013. The plan calls for the establishment of a TIP reporting mechanism, a national TIP plan of action and TIP monitoring, data collection and analysis.⁴⁸⁸⁵

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government of Russia continued the Fund for Children's Support, a child welfare program it initiated in 2008. Among other goals, the Fund is intended to support the rehabilitation of orphans and disadvantaged children, including homeless children, through social programs and activities.⁴⁸⁸⁶ The Fund implemented 109 regional programs in 2010, more than double the amount of programs implemented in 2009. For 2010, the Fund for Children's Support committed \$4 million to a program targeting violence against children, including sexual exploitation.⁴⁸⁸⁷

Despite the above programs, the Government does not have programs to combat the worst forms of child labor in agriculture and other sectors.

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Russia:

IN THE AREA OF LAWS AND REGULATIONS:

- Criminalize possession of child pornography.
- Codify a legal definition of child pornography.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a coordinating mechanism to specifically combat the worst forms of child labor.
- Gather and report timely statistics on the investigation and prosecution of violations of the worst forms of child labor.

IN THE AREA OF POLICY:

- Assess the impact that the Children of Russia policy may have on addressing the worst forms of child labor.
- Collect data on the nature and prevalence of child labor to guide the design of policy and programming.
- Formalize the agreement made with migrant-sending countries in the Commonwealth of Independent State to adopt a new joint cooperation strategy to combat trafficking in persons.

IN THE AREA OF PROGRAMS:

- Implement programs to combat all relevant worst forms of child labor, including programs for children working in agriculture and child victims of commercial sexual exploitation, in particular.

⁴⁸⁵⁸ Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section.

⁴⁸⁵⁹ U.S. Department of State, “Russia,” in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 8, 2011, section 7c; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/eur/154447.htm>. See also ILO, *Russia: A “vector” of hope for street children in St. Petersburg*, July 27, 2006; available from http://www.ilo.org/global/About_the_ILO/Media_and_public_information/Feature_stories/lang--en/WCMS_071238/index.htm. See also U.S. Embassy-Moscow, *reporting, December 29, 2010*, 3.

⁴⁸⁶⁰ ILO, *Russia: A “vector” of hope for street children in St. Petersburg*. See also U.S. Department of State, “Russia (Tier 2 Watch List),” in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/documents/organization/143188.pdf>. See also Elena Tjurjukanova and Institute for Urban Economics, *Human Trafficking in the Russian Federation: Inventory and*

Analysis of the Current Situation and Responses, UN/IOM Working Group on “Trafficking in Human Beings,” Moscow, 2006, 50; available from http://www.unicef.org/russia/ru_human_trafficking_eng.pdf.

⁴⁸⁶¹ Ibid., section 7d.

⁴⁸⁶² U.S. Embassy- Moscow, *reporting, December 29, 2010*.

⁴⁸⁶³ Ibid. See also U.S. Department of State, “Trafficking in Persons Report- 2010: Russia.”

⁴⁸⁶⁴ U.S. Department of State, “Trafficking in Persons Report- 2010: Russia.”

⁴⁸⁶⁵ U.S. Embassy- Moscow, *reporting, December 29, 2010*.

⁴⁸⁶⁶ Government of Russia, *Labor Code of the Russian Federation of 31 December 2001*, 197-FZ, article 63, (February 1, 2002); available from <http://www.ilo.org/dyn/natlex/docs/WBTEXT/60535/65252/E01RUS01.htm>.

⁴⁸⁶⁷ Ibid., chapter 42, article 265.

⁴⁸⁶⁸ Government of Russia, *The Constitution of the Russian Federation*, (December 25, 1993); available from <http://www.legislationline.org/download/action/download/id/1631/file/40e7c5194d7db79b900b350d2a20.htm/preview>. See also Government of Russia, *Criminal Code of the Russian Federation*, 63-FZ, (June 13, 1996); available from <http://www.legislationline.org/download/action/download/id/1697/file/0cc1acff8241216090943e97d5b4.htm/preview>.

⁴⁸⁶⁹ Government of Russia, *Criminal Code*.

⁴⁸⁷⁰ Ibid.

⁴⁸⁷¹ U.S. Department of State, “Country Reports- 2010: Russia,” section 6.

⁴⁸⁷² Coalition to Stop the Use of Child Soldiers, “Russian Federation,” in *Child Soldiers Global Report 2008*, London, 2008; available from http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf.

⁴⁸⁷³ UNESCO, *Education for All Global Monitoring Report*, 2010; available from <http://www.unesco.org/fileadmin/MULTIMEDIA/HQ/ED/GMR/pdf/gmr2010/gmr2010-annex-04-stat-tables.pdf>.

⁴⁸⁷⁴ U.S. Embassy- Moscow, *reporting, December 29, 2010*. See also U.S. Department of State, “Country Reports- 2010: Russia,” section 6.

⁴⁸⁷⁵ U.S. Department of State, “Country Reports- 2010: Russia,” section 6.

⁴⁸⁷⁶ Ibid., section 7d.

⁴⁸⁷⁷ Ibid.

⁴⁸⁷⁸ U.S. Embassy- Moscow, *reporting, December 29, 2010*.

⁴⁸⁷⁹ Ibid.

⁴⁸⁸⁰ U.S. Department of State, “Country Reports- 2010: Russia,” section 6.

⁴⁸⁸¹ U.S. Embassy- Moscow, *reporting, December 29, 2010*.

⁴⁸⁸² U.S. Department of State, “Country Reports- 2010: Russia,” section 6.

⁴⁸⁸³ ILO Committee of Experts, *Examination of individual case concerning Convention No. 182: Worst Forms of Child Labour, 1999 Russian Federation (ratification: 2003) Published: 2009*, April 18, 2011; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=851&chapter=13&query=%28C182%29+%40ref+%2B+%28Russian+Federation%29+%40ref&highlight=&querytype=bool&context=0>. See also ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Russian Federation (ratification: 2003) Submitted: 2008*, April 18, 2011; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=21903&chapter=9&query=%28C182%29+%40ref+%2B+%28%28Russian+Federation%29%29+%40ref+%2B+%23YEAR%3E2005&highlight=&querytype=bool&context=0>.

⁴⁸⁸⁴ Ibid. See also U.S. Embassy- Moscow, *reporting, December 29, 2010*.

⁴⁸⁸⁵ U.S. Embassy- Moscow, *reporting, February 16, 2011*.

⁴⁸⁸⁶ U.S. Embassy- Moscow, *reporting, December 29, 2010*. See also “All-Russian Contest of Children Support Social Projects to Be Held in Russian Regions,” *Vladivostok Times* (Vladivostok), February 1, 2009; available from <http://vladivostoktimes.ru/show/?id=34603&p=12>.

⁴⁸⁸⁷ U.S. Embassy- Moscow, *reporting, December 29, 2010*.